

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA : CONSENT PRELIMINARY ORDER
- v. - : OF FORFEITURE AS TO
AMANDA SECOR : SPECIFIC PROPERTIES
: S2 18 Cr. 519 (JPO)
Defendant.
:
- - - - - x

WHEREAS, on or about October 16, 2018, AMANDA SECOR (the "defendant"), was charged in a two-count Superseding Information, S2 18 Cr. 519 (JPO) (the "Information"), with conspiracy to commit wire fraud and bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One); and aggravated identity theft, in violation of Title 18, United States Code, Section 1028A (Count Two);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2), of all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offense charged in Count One of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, on or about October 16, 2018, the defendant pled guilty to Counts One and Two of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2): all right, title, and interest of the defendant in the following specific properties that were surrendered by the defendant to the Government at the time of entering the plea: (1) the silver and gold Rolex watch that was purchased with funds from another person's bank account in the course of said offense; and (2) the YSL handbag, Chanel handbag, Suleen handbag, and tennis bracelet that were purchased with proceeds obtained in the commission of said offense, (1 and 2, collectively, the "Specific Properties") representing property, real and personal, involved in the offense charged in Count One of the Information and property traceable to such property;

WHEREAS, the defendant further consents to the forfeiture of all her right, title and interest in the Specific Properties which constitute property, real and personal, involved in the offense charged in Count One of the Information;

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the

offense charged in Count One of the Information that the defendant personally obtained cannot be located upon the exercise of due diligence; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Properties to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorneys, THANE REHN, of counsel, and the defendant, and her counsel, STEPHEN LARSON, Esq., and JERRY BEHNKE, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the defendant pled guilty, all of the defendant's right, title and interest in the Specific Properties is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture

as to Specific Properties is final as to the defendant, AMANDA SECOR, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Properties, the United States (or its designee) is hereby authorized to take possession of the Specific Properties and to hold such properties in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the defendant, claiming interest in the Specific Properties must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Properties, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Properties, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b) (6) (A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Properties pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions,

interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Properties, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

10. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture as to Specific Properties to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

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11. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Properties may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

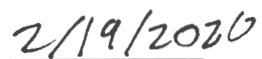
GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By:



THANE REHN

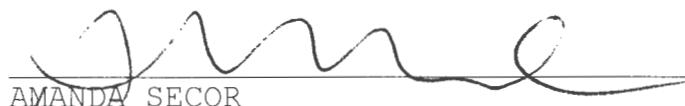
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2354/2187



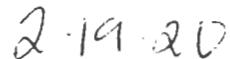
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AMANDA SECOR

By:



AMANDA SECOR



DATE

By:



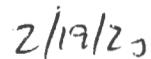
STEPHEN LARSON, ESQ.

JERRY BEHNKE, ESQ.

Attorney for Defendant

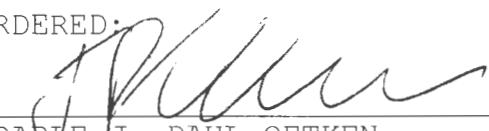
555 South Flower Street, Suite 4400

Los Angeles, CA 90071

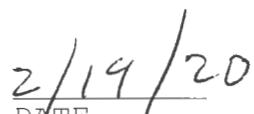


DATE

SO ORDERED:



HONORABLE U. PAUL OETKEN
UNITED STATES DISTRICT JUDGE



DATE